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10 Intel Corporation

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION  
15

16 PATRICIA M. NIEHAUS, individually and on  
17 behalf of all others similarly situated,

18 Plaintiff,

19 v.

20 INTEL CORPORATION, a Delaware  
21 corporation,

22 Defendant.  
23

No. C-05-2720 JCS

STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE FILING DATE  
FOR DEFENDANT'S RESPONSE TO  
PLAINTIFF'S COMPLAINT

24 IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH THEIR  
25 COUNSEL AS FOLLOWS:

26 Pursuant to Civil Local Rule 6-2, Plaintiff Patricia M. Niehaus and Defendant Intel Corporation hereby stipulate that Intel Corporation's response to Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407 or, in the alternative, 45 days after any such motion has been denied. The parties request this transfer because the plaintiffs in *Brauch, et al. v. Intel Corp.*, No. C 05-2743 (BZ) (N.D. Cal., filed July 5, 2005), a

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE RESPONSE DATE

1 related matter, have filed a petition to coordinate or consolidate pre-trial proceedings per 28  
2 U.S.C. Section 1407, and the above-styled action has been identified as a related action to that  
3 petition. As a result, the outcome of the pending petition will impact significantly the schedule  
4 of this case.

5 This is the first stipulation between the parties. Because this litigation has just  
6 begun, granting such a stipulation will not have any negative impact on the schedule of this case.

7 IT IS HEREBY STIPULATED.  
8 DATED: July 1, 2005

9 Bingham McCutchen LLP

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11 By:   
12 JOY K. FUYUNO  
13 Attorneys for Defendant  
14 Intel Corporation

15 Law Offices of Jeffrey F. Keller

16  
17 By:   
18 JEFFREY F. KELLER  
19 Attorneys for Plaintiff  
20 Patricia M. Niehaus

1 **[PROPOSED] ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE**

2 IT IS HEREBY ORDERED that Defendant Intel Corporation's response to  
3 Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case  
4 pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section  
5 1407, or, in the alternative, 45 days after any such motion has been denied.

6 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

7 Dated: July 21, 2005

8  
9 /s/ Joseph C. Spero  
10 Honorable Joseph C. Spero  
11 United States Magistrate Judge  
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